

FILE NO.: Z-8939

NAME: Newbern Short-form PD-R

LOCATION: Located at 4124 Fairview Road

DEVELOPER:

John Newbern
4124 Fairview Road
Little Rock, AR 72205

SURVEYOR:

Brooks Surveying
20820 Arch Street Pike
Hensley, AR 72065

AREA: 0.15 acres

NUMBER OF LOTS: 1

FT. NEW STREET: 0 LF

CURRENT ZONING: R-2, Single-family

ALLOWED USES: Single-family residential

PROPOSED ZONING: PD-R

PROPOSED USE: Single-family residential - Inconsistent with the Hillcrest DOD

VARIANCES/WAIVERS REQUESTED: None requested.

A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is requesting a rezoning of the site from R-2, Single-family to PD-R to allow the addition of a garage structure, with an accessory living space on the second level and an addition to the existing home located at 4124 Fairview Road. The property is located within the Hillcrest Design Overlay District. Plans include upgrading the existing structure to bring the electrical and plumbing up to current code as well as aesthetic upgrades to the exterior of the home. Renovations to the interior of the home include changing the existing attached garage into a master bedroom/bathroom converting the existing porch into living space and adding a new porch. In all, the modifications to the existing home will increase the square footage from approximately 1,400 square feet to 2,200 square feet.

Since the proposal includes converting the existing garage into living space, the proposal includes the addition of a detached garage on the property which includes a residence on the second level. The extra living space is desired to allow living space for an aging grandmother.

B. EXISTING CONDITIONS:

The home sits along the eastern end of Fairview Road overlooking Alsop Park. Fairview Road runs along two (2) of the properties boundaries and an alley is located along the third boundary. There is an adjacent single-family home to the north.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received a few informational phone calls from area residents. All property owners located within 200-feet of the site along with the Hillcrest Residents Neighborhood Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

No comment.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer is available for the project.

Entergy: No comment received.

Center-Point Energy: CenterPoint Energy (CNP) has existing facilities located in the alley way near the westerly portion of the proposed garage with living quarters. CNP would like to confirm that the alley will not be encroached upon by the proposed garage construction due to the facilities located on the east side of the alley. CNP advise the owner to place a call to One-Call prior to any construction to locate CNP facilities.

AT & T: No comment received.

Central Arkansas Water:

1. No objection. All Central Arkansas Water requirements in effect at the time of request for water service must be met.
2. If there are facilities that need to be adjusted and/or relocated, contact Central Arkansas Water. That work would be done at the expense of the developer.

3. Contact Central Arkansas Water if additional fire protection or metered water service is required.
4. Contact Central Arkansas Water regarding the size and location of the water meter.

County Planning: No comment.

Fire Department: Place fire hydrant(s) per code. Maintain access. Contact the Little Rock Fire Department for additional information.

County Planning: No comment.

CATA: About ½ mile from #1 bus route stop at Kavanaugh and Beechwood.

Parks and Recreation: No comment received.

F. ISSUES/TECHNICAL/DESIGN:

Building Code: If the building to be constructed is between 0 and 4 feet from the property line, that portion of the structure is required to be of one-hour fire resistance construction. Openings in that wall are restricted to varying degrees however, no openings are allowed in walls closer than 3 feet from the property line. An exception is that if there is a dedicated, platted, side yard building line which effectively serves as the permanent separation distance [for adjacent properties as well], which cannot be amended or moved, the development must comply with the provisions of R104.11, 2012 IRC.

Planning Division: This request is located in the Heights/Hillcrest Planning District. The Land Use Plan shows Residential Low Density (RL) for this property. Residential Low Density allows for single family homes at densities not to exceed 6 dwelling units per acre. Such residential development is typically characterized by conventional single family homes, but may also include patio or garden homes and cluster homes, provided that the density remain less than 6 units per acre. The applicant has applied for a rezoning from R-2 (Single Family District) to PDR (Planned District Residential) to allow for the development of a single family house on this site (not meeting all the requirements of the DOD). The site is within the Hillcrest Design Overlay District.

Master Street Plan: Fairview Road is a Local Street on the Master Street Plan. The primary function of a Local Street is to provide access to adjacent properties. This street may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan: There are no bike routes shown in the immediate vicinity.

Landscape: No comment on this single-family development.

G. SUBDIVISION COMMITTEE COMMENT: (April 23, 2014)

The applicant was present. Staff presented the item stating the site was located within the Hillcrest Design Overlay District which had specific development criteria related to setbacks and building coverages. Staff requested the applicant provide the grade plane coordinates for the garage and the proposed residence.

There was a general discussion concerning if the western boundary was a street or alley. Staff later determined through review of the plat and the Bagley Maps the area would be treated as an alley.

Staff noted the comments from the various other agencies. There were no more issues for discussion. The Committee then forwarded the item to the full Commission for final action.

H. ANALYSIS:

The applicant submitted a revised cover letter to staff addressing the issues raised at the April 23, 2014, Subdivision Committee meeting. The request is a rezoning from R-2, Single-family to PD-R to allow the construction of a two (2) car garage with accessory living quarters on a second level. The applicant is also proposing an addition to the front of the structure additional living space and the construction of a new porch. The Hillcrest Design Overlay District has specific development criteria related to setbacks, lot coverage, floor area ratio and maximum building height. The ordinance states property, if for any reason, that cannot be developed without violating the standards of the DOD shall be reviewed through the planned zoning district section of the zoning ordinance, with the intent to devise a workable development plan which is consistent with the purpose and intent of the overly ordinance.

The applicant has indicated the proposed garage will be constructed with a maximum building height of 18-feet. The lot has a slope running from northwest to southeasterly. In the location of the garage the highest point is 100.9-feet AMSL falling to 94.7-feet AMSL. The new construction on the residential structure will be single story construction and match the existing roofline.

The floor area ratio for a home located on a lot containing over 8,000 square feet is 0.37 for structures with a single level and 0.50 for structures with more than one level. The lot contains 15,323 square feet. The house is proposed with 2,265 square feet, the first floor of the garage containing 672 square feet and the second level also containing 672 square feet. The floor area ratio for the site is 0.24.

The maximum lot coverage allowed per the DOD is 50-percent for lots in excess of 4,500 square feet. This includes all structures under roof. The lot coverage as proposed is 19-percent.

The front yard setback is to be located at 15-feet or within a ten percent variation of the adjacent homes. The applicant has indicated the front yard setback will be

15-feet and based on the survey provided this will align with the adjacent homes within the variation allowed per the DOD.

The building is proposed with hardi-board siding, vinyl casement windows and an asphalt shingle roof. Wood stairs on the exterior of the building will be used to access the second level. The building will be constructed along the alley with a zero setback as allowed per the R-2, Single-family zoning district.

The request includes the allowance of an accessory living quarters on the second level of the garage structure. The property is zoned R-2, Single-family which requires approval to allow the second residence on the property. As a part of the PD-R zoning request the applicant is seeking approval of the second residence. Fencing is proposed consistent with fencing allowed in the R-2, Single-family zoning district.

Staff is supportive of the request. Staff does not feel the placement of the garage within the rear yard area with accessory living quarters will adversely impact the area. In-laws quarters and/or garage apartments are a common occurrence within this area. Staff feels parking is adequate for the site. The garage is proposed as a two (2) car garage and the new driveway accessing the garage and the existing drive can also accommodate two (2) vehicles.

I. STAFF RECOMMENDATION:

Staff recommends approval of the request subject to compliance with the following conditions:

1. Compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report.
2. One of the dwellings must be occupied by the property owner, as is typically required in single-family.

PLANNING COMMISSION ACTION:

(MAY 15, 2014)

The applicant was present. There were no registered objectors present. Staff presented the item with a recommendation of approval of the request subject to compliance with the following conditions:

1. Compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report.
2. One of the dwellings must be occupied by the property owner, as is typically required in single-family.

There was no further discussion of the item. The chair entertained a motion for approval of the item as presented by staff. The motion carried by a vote of 9 ayes, 0 noes and 2 absent.